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RECEIVED  
MAY 21 1994  
HUB LAW OFFICES

12 Attorneys for Plaintiff and  
13 Cross-Defendant CHURCH OF SCIENTOLOGY  
14 INTERNATIONAL  
15

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA

17 FOR THE COUNTY OF MARIN

18 CHURCH OF SCIENTOLOGY ) CASE NO. 157 680  
19 INTERNATIONAL, a California not- )  
20 for-profit religious corporation; ) CHURCH OF SCIENTOLOGY  
21 Plaintiffs, ) INTERNATIONAL'S DEMURRER TO  
22 vs. ) GERALD ARMSTRONG'S SECOND  
23 ) AMENDED CROSS-COMPLAINT  
24 )  
25 )  
26 GERALD ARMSTRONG; MICHAEL WALTON; ) DATE: June 10, 1994  
27 et al., ) TIME: 9:00 a.m.  
28 Defendants. ) DEPT: 1

29 \_\_\_\_\_ )  
30 GERALD ARMSTRONG, ) DISCOVERY CUT-OFF: None  
31 ) MOTION CUT-OFF: None  
32 Cross-Complainant, ) TRIAL DATE: None  
33 )

34 vs. )  
35 )  
36 CHURCH OF SCIENTOLOGY )  
37 INTERNATIONAL, a California )  
38 Corporation; DAVID MISCAVIGE; )  
39 DOES 1 to 100; )  
40 Cross-Defendants. )  
41 \_\_\_\_\_ )

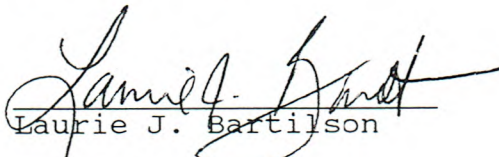
42 Plaintiff and cross-defendant, Church of Scientology  
43 International ("the Church"), demurs to the second amended cross-  
44 complaint of Gerald Armstrong on the following grounds:

1           1.    The cross-complaint does not state facts sufficient to  
2 constitute a cause of action against the Church;

3           2.    There is another action pending between the parties to  
4 this cross-complaint on the same cause of action as alleged in  
5 the cross-complaint. That action is the cross-complaint in Case  
6 No. BC 052395 in the Superior Court of Los Angeles County, and  
7 the Church asks that the Court take judicial notice of that  
8 action under Evidence Code Section 42(d). Certified copies of  
9 the Verified Amended Cross-Complaint and the Church's Answer to  
10 Verified Amended Cross-Complaint were previously provided to the  
11 Court as Exhibits 1 and 2 to the Church's Request for Judicial  
12 Notice filed on January 3, 1994.

13 DATED: May 20, 1994

BOWLES & MOXON

14  
15 By:   
16 ~~Laurie J. Bartilson~~

17 Andrew H. Wilson  
WILSON, RYAN & CAMPILONGO

18 Attorneys for Plaintiff and Cross-  
19 Defendant CHURCH OF SCIENTOLOGY  
20 INTERNATIONAL  
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28

PROOF OF SERVICE

STATE OF CALIFORNIA            )  
  )    ss.  
COUNTY OF LOS ANGELES        )

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Los Angeles, CA 90028.

On May 20, 1994 I served the foregoing document described as CHURCH OF SCIENTOLOGY INTERNATIONAL'S DEMURRER TO GERALD ARMSTRONG'S SECOND AMENDED CROSS-COMPLAINT on interested parties in this action,

by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

by placing  the original  true copies thereof in sealed envelopes addressed as follows:

FORD GREENE  
HUB Law Offices  
711 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

MICHAEL WALTON  
700 Larkspur Landing Circle  
Suite 120  
Larkspur, CA 94939

BY MAIL

\*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on May 20, 1994 at Los Angeles, California.

[ ] **\*\* (BY PERSONAL SERVICE)** I delivered such envelopes by hand to the offices of the addressees.

[ ] **\*\*** Such envelopes were hand delivered by Messenger Service

Executed on \_\_\_\_\_, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[ ] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Laurie Barakson  
Print or Type Name

Laurie A. Barakson  
Signature

\* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

\*\* (For personal service signature must be that of messenger)